

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOANNA PRITZ,)
vs.)
Plaintiff,)
CAROLYN W. COLVIN,)
Acting Commissioner of the Social)
Security Administration,)
Defendant.)

NO. CIV-13-0575-HE

ORDER

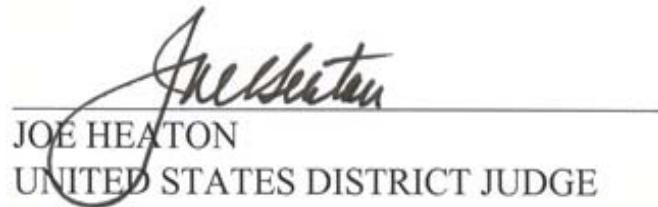
Plaintiff Joanna Pritz filed this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration denying her applications for disability insurance benefits and supplemental security income benefits. The case was referred to Magistrate Judge Shon T. Erwin, consistent with 28 U.S.C. § 636(b)(1)(B). Judge Erwin recommends that the case be reversed and remanded, finding that the administrative law judge erred by failing to question the vocational expert regarding discrepancies between his testimony and the Dictionary of Occupational Titles.

Having failed to object to the Report and Recommendation, the parties have waived their right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996); *see* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court adopts the Report and Recommendation [Doc. #17], **REVERSES** the final decision of the Commissioner and **REMANDS** the case for further proceedings consistent with the Report and Recommendation, a copy of which is attached

to this order. This decision does not suggest or imply any view as to whether plaintiff is or is not disabled, or what result should be reached on remand.

IT IS SO ORDERED.

Dated this 29th day of day of December, 2014.



JOE HEATON
UNITED STATES DISTRICT JUDGE